

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NATIONAL ASSOCIATION OF
IMMIGRATION JUDGES,

Plaintiff,

v.

DAVID L. NEAL, in his official capacity as
Director of the Executive Office for
Immigration Review,

Defendant.

Case No. 1:20-cv-731 (LMB/JFA)

CONSENT MOTION FOR EXTENSION

Pursuant to Federal Rule 6(b), Defendant, with Plaintiff's consent, respectfully requests a modest extension of time that would permit a response to Plaintiff's Second Amended Complaint by February 1, 2023. This brief extension will not affect any scheduled proceedings before the Court and is supported by good cause. The grounds for this motion are as follows:

1. In this action, Plaintiff asserts First and Fifth Amendment claims against the Executive Office for Immigration Review's 2021 policy governing outside speaking. Plaintiff filed its Second Amended Complaint on January 9, 2023. Under Federal Rule 15(a)(3), Defendant's current deadline to respond to the new pleading is January 23, 2023.

2. During Defendant's current response period, counsel has numerous pre-existing obligations in other cases, including several all-day depositions and final pretrial filings. Accordingly, Defendant requests an extension of 7 business days – until February 1, 2023 – within which to respond to Plaintiff's Second Amended Complaint.

3. There are currently no proceedings scheduled before the Court that would be affected by this modest extension. The extension also will not prejudice Plaintiff, which consents to the requested relief.

A proposed order is attached for the Court's convenience.

Dated: January 10, 2023

JESSICA D. ABER
United States Attorney

/s/
MATTHEW J. MEZGER
Assistant United States Attorney
Office of the United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: (703) 299-3741
Fax: (703) 299-3983
Email: Matthew.Mezger@usdoj.gov

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

CHRISTOPHER R. HALL
Assistant Branch Director

CATHERINE M. YANG
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Tel: (202) 514-4336
Email: Catherine.M.Yang@usdoj.gov

Counsel for Defendant